

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF

In re:	§	
	§	
NORTHWEST GARDEN CENTER, INC.	§	Case No. 08-02665
	§	
Debtor(s)	§	

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**AMENDED TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter of the United States Bankruptcy Code was filed on . The undersigned trustee was appointed on .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

Payments made under an interim  
disbursement  
Administrative expenses  
Bank service fees  
Other payments to creditors  
Non-estate funds paid to 3<sup>rd</sup> Parties  
Exemptions paid to the debtor  
Other payments to the debtor

Leaving a balance on hand of<sup>1</sup> \$

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was \_\_\_\_\_ and the deadline for filing governmental claims was \_\_\_\_\_. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ \_\_\_\_\_. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ \_\_\_\_\_ as interim compensation and now requests a sum of \$ \_\_\_\_\_, for a total compensation of \$ \_\_\_\_\_<sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ \_\_\_\_\_, and now requests reimbursement for expenses of \$ \_\_\_\_\_, for total expenses of \$ \_\_\_\_\_<sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: \_\_\_\_\_ By: /s/JOSEPH E. COHEN  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

FORM 1  
 Document Page 3 of 12  
 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

## ASSET CASES

Page: 1  
 Exhibit A

Case No: 08-02665 ABG Judge: A. BENJAMIN GOLDGAR  
 Case Name: NORTHWEST GARDEN CENTER, INC.

Trustee Name: JOSEPH E. COHEN

Date Filed (f) or Converted (c): 02/06/08 (f)

341(a) Meeting Date: 03/17/08

Claims Bar Date: 06/26/08

For Period Ending: 10/18/11

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. VEHICLES	7,500.00	3,000.00		4,000.00	0.00
2. OFFICE EQUIPMENT	1,050.00	1,000.00		1,000.00	0.00
3. MACHINERY	34,700.00	20,000.00		18,000.00	2,000.00
4. INVENTORY	41,081.03	25,000.00		40,591.50	0.00
5. BANK ACCOUNTS (u)	0.00	Unknown		1,185.04	Unknown
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		56.31	Unknown

TOTALS (Excluding Unknown Values)

\$84,331.03

\$49,000.00

\$64,832.85

Gross Value of Remaining Assets

\$2,000.00

(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

TRUSTEE TO EMPLOY AUCTIONEER TO SELL ASSETS OF DEBTOR. ASSETS SOLD. TRUSTEE MAY FILE FRAUDULENT CONVEYANCE ACTIONS.  
 TRUSTEE REVIEWING CLAIMS PRIOR TO DRAFTING OF FINAL REPORT. TRUSTEE IS PREPARING HIS FINAL REPORT.

Initial Projected Date of Final Report (TFR): 11/03/00

Current Projected Date of Final Report (TFR): 11/30/10

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-02665 -ABG  
Case Name: NORTHWEST GARDEN CENTER, INC.

Trustee Name: JOSEPH E. COHEN  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*7044 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*7069  
For Period Ending: 10/18/11

Blanket Bond (per case limit): \$ 5,000,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
06/26/08	* NOTE *	American Auction Associates, Inc.	Sale proceeds	1129-000	63,591.50		63,591.50
			* NOTE * Properties 1, 2, 3, 4				
06/30/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.24		63,591.74
07/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	8.08		63,599.82
* 08/05/08	000301	Chicago	Rent	2410-003		17,718.30	45,881.52
			Rent				
* 08/05/08	000301	Chicago	Rent	2410-003		-17,718.30	63,599.82
08/05/08	000302	Chicago Title Land Trust Co. Trust 76982	Rent	2410-000		17,718.30	45,881.52
			Rent				
08/29/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	6.55		45,888.07
09/30/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	5.65		45,893.72
10/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	4.45		45,898.17
11/28/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	3.76		45,901.93
12/23/08	5	Inland Bank	turnover of bank account	1229-000	1,185.04		47,086.97
			Turnover of bank account				
12/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	2.31		47,089.28
01/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.40		47,089.68
02/27/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.36		47,090.04
02/28/09	000303	International Sureties, Ltd. 701 Poydras St. Suite 420 New Orleans, LA 70139	Bond premium	2300-000		38.65	47,051.39
02/28/09	000304	AMERICAN AUCTION ASSOCIATES, INC.	Auctioneer Expenses	3620-000		7,244.58	39,806.81
			Auctioneer Expenses				
03/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.35		39,807.16
04/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.87		39,808.03
05/29/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,809.04
06/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.99		39,810.03

Page Subtotals 64,811.56 25,001.53

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-02665 -ABG  
Case Name: NORTHWEST GARDEN CENTER, INC.

Trustee Name: JOSEPH E. COHEN  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*7044 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*7069  
For Period Ending: 10/18/11

Blanket Bond (per case limit): \$ 5,000,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
07/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,811.04
08/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,812.05
09/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.98		39,813.03
10/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,814.04
11/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.98		39,815.02
12/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,816.03
01/29/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,817.04
02/26/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.92		39,817.96
03/26/10	000305	INTERNATIONAL SURETIES, LTD.	Bond premium	2300-000		47.34	39,770.62
03/31/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.02		39,771.64
04/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.98		39,772.62
05/28/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,773.63
06/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.99		39,774.62
07/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,775.63
08/31/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.02		39,776.65
09/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.98		39,777.63
10/29/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,778.64
11/30/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.99		39,779.63
12/31/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,780.64
01/31/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	1.01		39,781.65
02/28/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.31		39,781.96
03/31/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.34		39,782.30
04/29/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.33		39,782.63
05/31/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.34		39,782.97
07/29/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.34		39,783.31
08/31/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.34		39,783.65
09/30/11	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.33		39,783.98

Page Subtotals

21.29

47.34

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-02665 -ABG  
Case Name: NORTHWEST GARDEN CENTER, INC.

Trustee Name: JOSEPH E. COHEN  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*7044 BofA - Money Market Account

Taxpayer ID No: \*\*\*\*\*7069  
For Period Ending: 10/18/11

Blanket Bond (per case limit): \$ 5,000,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
COLUMN TOTALS					64,832.85	25,048.87	39,783.98
Less: Bank Transfers/CD's					0.00	0.00	
Subtotal					64,832.85	25,048.87	
Less: Payments to Debtors						0.00	
Net					64,832.85	25,048.87	
TOTAL - ALL ACCOUNTS					NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
BofA - Money Market Account - *****7044					64,832.85	25,048.87	39,783.98
					64,832.85	25,048.87	39,783.98
					(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 0.00 0.00

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EXHIBIT A  
ANALYSIS OF CLAIMS REGISTER

Date: November 07, 2011

Case Number: 08-02665 Claim Class Sequence  
Debtor Name: NORTHWEST GARDEN CENTER, INC.

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
001 3410-00	Popowcer & Katten Ltd.	Administrative		\$1,965.00	\$0.00	\$1,965.00
001 3110-00	Cohen & Krol	Administrative		\$4,748.75	\$0.00	\$4,748.75
000001	Jordan Cohen 4510 N. Seminole Drive Glenview, IL 60026	Unsecured		\$773,721.50	\$0.00	\$773,721.50
000002 070 7100-00	Laura R. Cohen 538 Prestwick Lane Wheeling, IL 60090	Unsecured		\$38,500.00	\$0.00	\$38,500.00
000003 070 7100-00	Unilock Chicago, Inc. 301 E. Sullivan Rd. Aurora, IL 60504	Unsecured		\$101,186.92	\$0.00	\$101,186.92
000004 070 7100-00	Ronald Fields C/O Davidson & Schwartz Attn: Arnold M. Schwartz 111 North Canal Street, Ste 394 Chicago, IL 60606-7203	Unsecured		\$59,597.22	\$0.00	\$59,597.22
000005 070 7100-00	Chicago Land Trust Title Co.T/U/T Trust No. 76982 c/o Davidson & Schwartz Attn Arnold M. Schwartz 111 North Canal Street, Ste 394 Chicago, IL 60606	Unsecured		\$214,928.00	\$0.00	\$214,928.00
000007 070 7100-00	St. Paul Fire and Marine Insurance Company and Travelers Indemnity Company & Affili C/O RMS Bankruptcy Recovery Services P O BOX 5126 Timonium, MD 21094	Unsecured		\$660.24	\$0.00	\$660.24
000008 070 7100-00	Waste Management 2421 W. Peoria Ave Suite 110 Phoenix, AZ 85029	Unsecured		\$130.72	\$0.00	\$130.72
000009	Cohen, Laura 4510 N. Seminole Drive Glenview, IL 60026	Unsecured		\$38,500.00	\$0.00	\$38,500.00
000010 070 7100-00	Myron Tiersky 175 East Delaware Place, Apt. 6210 Chicago, IL 60611	Unsecured		\$812,221.50	\$0.00	\$812,221.50

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EXHIBIT A  
ANALYSIS OF CLAIMS REGISTER

Date: November 07, 2011

Case Number: 08-02665 Claim Class Sequence  
Debtor Name: NORTHWEST GARDEN CENTER, INC.

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000011 070 7100-00	Jordan H. Cohen 4510 N. Seminole Drive Glenview, IL 60026	Unsecured		\$800,388.17	\$0.00	\$800,388.17
000012 070 7100-00	Steven Tiersky 39 Tamarisk Lane Deerfield, IL 60015	Unsecured		\$865,554.83	\$0.00	\$865,554.83
000013	Myron Tiersky 175 East Delaware Place, Apt. 6210 Chicago, IL 60611	Unsecured		\$812,221.50	\$0.00	\$812,221.50
000014	Myron Tiersky 175 East Delaware Place, Apt. 6210 Chicago, IL 60611	Unsecured		\$812,221.50	\$0.00	\$812,221.50
000015	Laura Cohen 4510 N. Seminole Drive Glenview, Illinois 60026	Unsecured		\$38,500.00	\$0.00	\$38,500.00
000016	Steven Tiersky 39 Tamarisk Lane Deerfield, IL 60015	Unsecured		\$865,554.83	\$0.00	\$865,554.83
000017	Jordan Cohen 4510 N. Seminole Drive Glenview, IL 60026	Unsecured		\$800,388.17	\$0.00	\$800,388.17
000018 070 7100-00	Herron Excavating & Topsoil 908 E. Burnett Rd. Island Lake, IL 60042	Unsecured		\$900.00	\$0.00	\$900.00
000019 080 7200-00	CITGO P.O. Box 2224 Birmingham, AL 35246-0017	Unsecured		\$933.05	\$0.00	\$933.05
000006	Chicago Land Trust Title Co.T/U/T Trust No. 76982 c/o Davidson & Schwartz Attn Arnold M. Schwartz 111 North Canal Street, Ste 394 Chicago, IL 60606	Secured		\$58,668.00	\$0.00	\$58,668.00
Case Totals:				\$7,101,489.90	\$0.00	\$7,101,489.90

Code #: Trustee's Claim Number, Priority Code, Claim Type



**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 08-02665

Case Name: NORTHWEST GARDEN CENTER, INC.

Trustee Name: JOSEPH E. COHEN

Balance on hand \$

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: JOSEPH E. COHEN	\$	\$	\$
Trustee Expenses: JOSEPH E. COHEN	\$	\$	\$
Attorney for Trustee Fees: Cohen & Krol	\$	\$	\$
Accountant for Trustee Fees: Popowcer & Katten Ltd.	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$

Remaining Balance \$

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000002	Laura R. Cohen 538 Prestwick Lane Wheeling, IL 60090	\$	\$	\$
000003	Unilock Chicago, Inc. 301 E. Sullivan Rd. Aurora, IL 60504	\$	\$	\$
000004	Ronald Fields C/O Davidson & Schwartz Attn: Arnold M. Schwartz 111 North Canal Street, Ste 394 Chicago, IL 60606-7203	\$	\$	\$
000005	Chicago Land Trust Title Co.T/U/T Trust No. 76982 c/o Davidson & Schwartz Attn Arnold M. Schwartz 111 North Canal Street, Ste 394 Chicago, IL 60606	\$	\$	\$
000007	St. Paul Fire and Marine Insurance Company and Travelers Indemnity Company & Affili C/O RMS Bankruptcy Recovery Services P O BOX 5126 Timonium, MD 21094	\$	\$	\$

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000008	Waste Management 2421 W. Peoria Ave Suite 110 Phoenix, AZ 85029	\$	\$	\$
000010	Myron Tiersky 175 East Delaware Place, Apt. 6210 Chicago, IL 60611	\$	\$	\$
000011	Jordan H. Cohen 4510 N. Seminole Drive Glenview, IL 60026	\$	\$	\$
000012	Steven Tiersky 39 Tamarisk Lane Deerfield, IL 60015	\$	\$	\$
000018	Herron Excavating & Topsoil 908 E. Burnett Rd. Island Lake, IL 60042	\$	\$	\$

Total to be paid to timely general unsecured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Tardily filed claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be \_\_\_\_\_ percent.

Tardily filed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000019	CITGO P.O. Box 2224 Birmingham, AL 35246-0017	\$	\$	\$

Total to be paid to tardy general unsecured creditors \$ \_\_\_\_\_

Remaining Balance

\$ \_\_\_\_\_

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ \_\_\_\_\_ have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be \_\_\_\_\_ percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE